

THE HON'BLE SRI JUSTICE K.C.BHANU

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WRIT PETITION NO.18725 OF 2005

Between:

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K.Suryanarayana Reddy

.....Petitioner

Vs.

1.The State of A.P., represented by its Principal Secretary to Government, Ministry of Endowments, Secretariat Buildings, Saifabad, Hyderabad and another.

.....Respondents.

Dt.02.09.2005

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ORDER:

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This writ petition is filed for the issuance of a writ of Mandamus declaring the action of respondents in not considering the case of the petitioner as non-hereditary trustee and also the action of respondents in appointing hereditary trustees to Sri Rama Lingeswara Swamy Temple at the instance of local M.L.A. as arbitrary, illegal and violative of Article 14 of the Constitution of India and to direct the respondents to consider the case of the petitioner for appointment as non-hereditary trustee of Sri Ramalingeswara Swamy Temple, Paralapadu Village, Rajupalem Mandal, Kadapa District and till such time direct the respondents not to finalise the appointment of non-hereditary trustee vide proceedings, dated 16.08.2005 of the Assistant Commissioner of Endowments, Kadapa.

It is the case of the petitioner that on 17.06.1996 he was appointed by the second respondent as non-hereditary Trustee of Ramalingeswaraswami Temple. There after, he was elected as Chairman of the Trust Board and he made several developments to the temple. On 01.04.2005 the second respondent issued a

notification to constitute a new Committee. Pursuant to the above said notification, the petitioner submitted an application, dated 11.04.2005 for being appointed as non-hereditary Trustee. In spite of the same, the respondents did not take any action. It is also the case of the petitioner that on being influenced by the local M.L.As., five persons were appointed as non-hereditary Trust Board members and if they assume charge, the petitioner will be put to irreparable loss. Hence, this writ petition is filed.

Admittedly, the newly constituted Committee of Non-hereditary Trustee of the Assistant Commissioner has assumed office on 29.08.2005. Therefore, the question of considering the case of the petitioner to appoint him as a non-hereditary Trustee does not arise. As the newly constituted members of the trust Board are not added as necessary parties to the writ petition, behind their back, no order can be passed.

The writ petition is, therefore, dismissed. No order as to costs.

K.C.BHANU J.,

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Dt.02.09.2005

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